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8 *Attorneys for Fire Victim Claimants*

9
10 **UNITED STATES BANKRUPTCY COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 **In re:**

Bankruptcy Case
No. 19-30088 (DM)

14 **PG&E CORPORATION**

Chapter 11
(Lead Case)
(Jointly Administered)

15 -and-

16 **PACIFIC GAS AND ELECTRIC
COMPANY,**

17 **Debtors.**

**MOTION TO ALLOW/DEEM TIMELY
LATE FILING OF PROOF OF CLAIM
BY SONOMA LAND TRUST,
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATION OF
BRENDAN M. KUNKLE**

18 ☐ Affects PG&E Corporation

19 ☐ Affects Pacific Gas and Electric Company

20 ☒ Affects both Debtors

Date: October 13, 2020

Time: 10:00 a.m.

Place: (Telephonic/Video Appearances Only)

Judge: Hon. Dennis Montali

21 **All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

Objection Deadline: October 6, 2020

22 TO THE HONORABLE DENNIS MONTALI, UNITED STATES BANKRUPTCY COURT
23 JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED
24 PARTIES:

25 Abbey, Weitzenberg, Warren & Emery (“Abbey Law”), together with several other firms,
26 represent thousands of victims of the Fires started by PG&E in 2017 (generally referred to as the
27 “North Bay Fires”) and 2018 (“Camp Fire”).

28 Abbey Law respectfully files this motion (“Motion”) on behalf of Sonoma Land Trust
 (“Movant”), to deem timely the late filing of proof of claim (“Subject Proof of Claim”).

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I. SUMMARY OF ARGUMENT

A proof of claim may be deemed timely upon a showing of excusable neglect and lack of prejudice. In this case, due to misunderstandings about attorney retention, Movant was unable to timely file a proof of claim. Because there is no danger of prejudice to the Debtors as Debtors' estates are solvent, and all creditors stand to be paid, the Motion should be granted to allow Movant to have Subject Proof of Claim deemed timely. This Court must determine whether to grant the Motion.

II. FACTUAL BACKGROUND

A. Movant's Claims Arising From North Bay Fires

Movant, Sonoma Land Trust, is a local, non-governmental, non-profit organization that protects and conserves the scenic, natural, agricultural and open landscapes of Sonoma County, and has several properties in Glen Ellen and Calistoga, California that were devastated by the 2017 North Bay Fires, beginning on October 8, 2017.

Four of Movant's properties, which collectively total over 1,000 acres, were incinerated by the 2017 North Bay Fires. Movant's properties sustained damage to various species of trees, vegetation, historical buildings, and also suffered a loss of income from a rental property. Movant's properties that were damaged as a result of the North Bay Fires are located at 3865 Cavedale Road, Glen Ellen, California ("Secret Pasture"), 13375, 13165 and 13255 Sonoma Highway/Highway 12, Glen Ellen, California ("Glen Oaks Ranch"), 13300 Sonoma Highway, Glen Ellen, California ("Stewart Creek Hill"), and 18775 Foss Hill Road, Calistoga, California ("Live Oaks Ranch").

Movant's Executive Director contacted counsel at the Abbey Law Firm on December 20, 2019 to inquire about the claims process, as Movant was unclear what constituted a viable claim. Counsel at Abbey Law directed his paralegal to contact Movant's Stewardship Director for an intake over the phone that same day, December 20, 2019. Upon completion of the paralegal's intake call with the Stewardship Director for Movant, Abbey Law's paralegal emailed a fee agreement to Movant and advised that the fee agreement and other documents needed to be

1 completed by Movant and returned to Abbey Law in order to file the Subject Proof of Claim for
2 Movant. Movant's Stewardship Director confirmed receipt of the email and advised Abbey Law's
3 paralegal that he would convey the information to the Movant's Executive Director.
4 Subsequently, the Movant's Stewardship Director and Executive Director each believed that the
5 other had submitted a signed fee agreement to Abbey Law before the Claims Bar Date of
6 December 31, 2019. Due to the miscommunication, no fee agreement was actually sent to Abbey
7 Law until after the Claims Bar Date. As a result, no proof of claim form was filed before the
8 Claims Bar Date.

9 On January 7, 2020, Movant submitted a signed fee agreement to Abbey Law.

10 On January 7, 2020, Abbey Law filed claim number 96388 ("Subject Proof of Claim") on
11 behalf of the Movant. A true and correct copy of the Subject Proof of Claim is attached hereto as
12 **Exhibit A**. Later, on this same date, January 7, 2020, Abbey Law filed an amended claim, claim
13 number 96397 ("Subject Proof of Claim"), on behalf of the Movant. A true and correct copy of
14 the Subject Proof of Claim is attached hereto as **Exhibit B**.

15 **B. General Procedural Background**

16 On January 29, 2019, PG&E Corporation and Pacific Gas and Electric Company
17 ("Debtors" or "PG&E") commenced with the Court voluntary cases ("Chapter 11 Cases") under
18 Chapter 11 of the United States Code ("Bankruptcy Code"). PG&E's Chapter 11 filings were
19 necessitated by a confluence of factors resulting from catastrophic fires that occurred in Northern
20 California prior to the Petition Date, and PG&E's potential liabilities arising therefrom.

21 Since, the Debtors continue to operate their businesses and manage their properties as
22 debtors in possession pursuant to 11 U.S.C. §§ 1107(a) & 1108, the Debtors' Chapter 11 Cases are
23 being jointly administered for procedural purposes only pursuant to Rule 1015(b) of the Federal
24 Rules of Bankruptcy Procedure ("FRBP").

25 **C. Plan, Disclosure Statement, and the Solicitation Procedures Motion**

26 On January 31, 2020, as Dk. No. 5590, the Debtors filed an Amended Chapter 11 Plan
27 Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of Reorganization Dated January 31,
28

1 2020.

2 On February 7, 2020, as Dk. No. 5700, the Debtors filed a Disclosure Statement for the
3 Amended Plan.

4 On February 19, 2020, as Dk. No. 5835, the Debtors filed Motion for Entry of an Order (I)
5 Approving Form and Manner of Notice of Hearing on Proposed Disclosure Statement; (II)
6 Establishing and Approving Plan Solicitation and Voting Procedures; (III) Approving Forms of
7 Ballots, Solicitation Packages, and Related Notices; and (IV) Granting Related Relief (the
8 “Solicitation Procedures Motion”).

9 On March 16, 2020, as Dk. No. 6320, the Debtors filed the Amended Chapter 11 Plan
10 Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of Reorganization Dated March 16,
11 2020.

12 On March 17, 2020, the Solicitations Procedures Motion was approved and the
13 Disclosure Statement and Plan circulated for votes.

14 The Debtors Amended Chapter 11 Plan Debtors' and Shareholder Proponents' Joint
15 Chapter 11 Plan of Reorganization Dated March 16, 2020 [Docket No. 6320] was amended on
16 May 22, 2020 [Docket No. 7521], and on June 19, 2020 [Docket No. 8048].

17 On June 20, 2020, an order was issued confirming Debtors' and Shareholder Proponents'
18 Joint Chapter 11 Plan of Reorganization Dated June 19, 2020 [Docket No. 8053].

19 **D. Extended Bar Date for Fire Victim Creditors**

20 The deadline for filing proofs of claim with respect to any prepetition claim including, but
21 not limited to, all claims of Fire Claimants, Wildfire Subrogation Claimants, Governmental Units
22 and Customers, and for the avoidance of doubt, including all secured claims and priority claims,
23 against either of the Debtors was October 21, 2019 at 5:00 p.m. (“General Bar Date”). The
24 deadline for filing claims was extended to December 31, 2019 (“Extended Bar Date”), solely for
25 the benefit of any non-governmental Fire Claimants who did not filed Proofs of Claim by the
26 General Bar Date.

27 **III. LEGAL ARGUMENT**

1 In a Chapter 11 case, the time to file a proof of claim may be extended under certain
2 circumstances. Fed. R. Bank. Pro. 3003(c)(3); Fed. R. Bank. Pro. 9006(b)(1). The bankruptcy
3 court has “broad equitable powers” in a Chapter 11 case with respect to the timing requirement for
4 proofs of claim. *Pioneer Inventory Services v. Brunswick Associates Limited Partnership*, 507
5 U.S. 380, 389 (1993). All in all, Rule 9006(b)(1) allows “late filings caused by inadvertence,
6 mistake, or carelessness, not just those caused by intervening circumstances beyond the party's
7 control.” *Id.*, at 381. Even a creditor that did in fact receive notice may file a proof of claim
8 notwithstanding the expiration of a claims bar date in a Chapter 11 case upon a showing of
9 “excusable neglect.” *Id.* At 394-95 (“Had respondents here been prevented from complying with
10 the bar date by an act of God or some other circumstance beyond their control, the Bankruptcy
11 Court plainly would have been permitted to find ‘excusable neglect’ [under FRBP 9006].”).

12 In considering whether a creditor’s failure was the product of “excusable neglect,” the
13 court should take “account of all relevant circumstances surrounding the party’s omission,”
14 including “the danger of prejudice to the debtor, the length of the delay and its potential impact on
15 judicial proceedings, the reason for the delay, including whether it was within the reasonable
16 control of the movant, and whether the movant acted in good faith.” *Id.* at 395; *see also Corning v.*
17 *Corning (In re Zilog, Inc.)*, 450 F.3d 996 (9th Cir. 2006) (noting *Pioneer*’s non-exhaustive list of
18 relevant factors). Again, a late-filed proof of claim is allowable where a creditor had actual notice
19 of the bankruptcy but, due to some external reason, failed to file a proof of claim or did not realize
20 that she had to, before the bar date. *See, e.g., ZiLOG, Inc. v. Corning (In re ZiLOG, Inc.)*, 450 F.3d
21 996, 1003-07 (9th Cir. 2006) (applying the *Pioneer* factors).

22 Here, consideration of all four *Pioneer* factors—as well as a fifth engrafted onto the
23 *Pioneer* analysis by some courts—weighs in favor of allowing Movant to file a late proof of claim.

24 The first *Pioneer* factor weighs overwhelmingly in Movant’s favor because there is no
25 danger of prejudice to the Debtors in this case. Debtors’ estates are solvent, and all creditors stand
26 to be paid. *See, e.g., In re Best Payphones, Inc.*, 523 B.R. 54, 75-6 (Bankr. S.D.N.Y. 2015) and *In*
27 *re Sheehan Mem’l Hosp.*, 507 B.R. 802, 803 (Bankr. W.D.N.Y. 2014) (where the chapter 11 estate
28

1 is solvent, “the proper remedy for a late filing is not the expungement of a claim, but its allowance
2 as a tardily filed claim only.).

3 The second *Pioneer* factor is also satisfied by Movant because the length of its delay in
4 filing a Proof of Claim form was minimal. Movant filed the Subject Proof of Claim on January 7,
5 2020, immediately after realizing it had not formally retained counsel. Movant therefore filed its
6 Claim Form only one week after the Claim Bar Date.

7 The third and fourth *Pioneer* factors, the reasonableness in the delayed filing and whether
8 Movant acted in good faith, are also met. Movant’s Executive Director contacted the Abbey Firm
9 on December 20, 2019, prior to the filing deadline, to inquire about the claims process. Movant
10 did not contact the Abbey Firm sooner because Movant was unclear about what constituted a
11 viable claim. Movant sought attorney representation once it learned it had a claim. However,
12 finalizing representation was delayed just two weeks because of an innocent miscommunication
13 between Movant’s Stewardship Director and Executive Director during the holidays about who
14 returned the signed fee agreement. As soon as Movant realized its mistake, it took action by
15 sending a signed fee agreement and filing a Proof of Claim. Movant’s delay was therefore the
16 result of reasonable and excusable neglect.

17 Lastly, any prospect of prejudice beyond solvency is unlikely given (a) distributions have
18 not been made; and (b) the value of Movants’ claims relative to the value of Debtors’ estates is
19 low. *See, e.g., In re Keene Corp.*, 188 B.R. 903, 910 (Bankr. S.D.N.Y. 1995) (size of the late claim
20 in relation to the estate is a consideration in determining prejudice).

21 IV. CONCLUSION

22 For the reasons set forth above, Movant respectfully requests that this Court enter an order
23 pursuant to Bankruptcy Rule 9006(b)(1) as follows:

- 24 1. Granting the Motion;
- 25 2. Finding that Subject Proof of Claim filed by Movant is to be allowed as having
26 been timely filed;
- 27 3. Granting such other or further relief as the Court deems just and proper.

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DATED: August 31, 2020

ABBEY, WEITZENBERG, WARREN & EMERY PC

By: /s/ Brendan M. Kunkle
BRENDAN M. KUNKLE (SBN 173292)
**ABBEY, WEITZENBERG, WARREN &
EMERY PC**
100 Stony Point Road, Suite 200
Santa Rosa, CA 95401
Telephone: 707-542-5050
Facsimile: 707-542-2589
bkunkle@abbeylaw.com

Attorneys for Numerous Fire Claimants

1 **DECLARATION OF BRENDAN M. KUNKLE**

2 I, BRENDAN M. KUNKLE, say and declare as follows:

3 1. I am an individual over 18 years of age and competent to make this Declaration.

4 2. If called upon to do so, I could and would competently testify as to the facts set
5 forth in this Declaration.

6 3. The facts set forth below are true of my personal knowledge.

7 4. I am an attorney at law duly admitted to practice before this Court and courts of the
8 State of California.

9 5. I am an attorney with the law firm of Abbey, Weitzenberg, Warren & Emery,
10 attorneys of record for hundreds of victims of the fires started by PG&E in 2017 (the numerous
11 fires generally referred to as the “North Bay”), and 2018 (“Camp Fire”).

12 6. I make this Declaration in support of the motion to allow late filing of a proof of
13 claim (“Motion”) on behalf of Sonoma Land Trust (“Movant”). Movant is represented by Abbey,
14 Weitzenberg, Warren & Emery.

15 7. Movant did not have a claim filed before the December 31, 2019 claims bar date
16 due to unavoidable and excusable delay and should be allowed to file a proof of claim after the bar
17 date.

18 8. Movant, is a local, non-governmental, non-profit organization that protects and
19 conserves the scenic, natural, agricultural and open landscapes of Sonoma County, and has several
20 properties in Glen Ellen and Calistoga, California that were devastated by the 2017 North Bay
21 Fires, beginning on October 8, 2017.

22 9. Four of Movant’s properties, which collectively total over 1,000 acres, were
23 incinerated by the 2017 North Bay Fires. Movant’s properties sustained damage to various
24 species of trees, vegetation, historical buildings, and also suffered a loss of income from a rental
25 property.

26 10. Movant’s properties that were damaged as a result of the North Bay Fires are
27 located at 3865 Cavedale Road, Glen Ellen, California (“Secret Pasture”), 13375, 13165 and
28

1 13255 Sonoma Highway/Highway 12, Glen Ellen, California (“Glen Oaks Ranch”), 13300
2 Sonoma Highway, Glen Ellen, California (“Stewart Creek Hill”), and 18775 Foss Hill Road,
3 Calistoga, California (“Live Oaks Ranch”).

4 10. Movant’s Executive Director contacted the Abbey Firm on December 20, 2019 to
5 inquire about the claims process, as Movant did not know what constituted a viable claim. I
6 directed my paralegal to contact Movant’s Stewardship Director for an intake over the phone that
7 same day, December 20, 2019. Upon completion of the paralegal’s intake call with the
8 Stewardship Director for Movant, my paralegal emailed a fee agreement to Movant and advised
9 that the fee agreement and other documents needed to be completed by Movant and returned to
10 Abbey Law in order to file the Subject Proof of Claim for Movant. Movant’s Stewardship
11 Director confirmed receipt of the email and advised my paralegal that he would convey the
12 information to the Movant’s Executive Director. Subsequently, the Movant’s Stewardship
13 Director and Executive Director each believed that the other had submitted a signed fee agreement
14 to Abbey Law before the Claims Bar Date of December 31, 2019. Due to the miscommunication,
15 no fee agreement was actually sent to Abbey Law until after the Claims Bar Date. As a result, no
16 proof of claim form was filed before the Claims Bar Date.

17 20. On January 7, 2020, Abbey, Weitzenberg, Warren & Emery filed claim number
18 96388 (“Subject Proof of Claim”) on behalf of the Movant. A true and correct copy of the Subject
19 Proof of Claim is attached hereto as **Exhibit A**. Later, on this same date, January 7, 2020, Abbey,
20 Weitzenberg, Warren & Emery filed an amended claim, claim number 96397 (“Subject Proof of
21 Claim”), on behalf of the Movant. A true and correct copy of the Subject Proof of Claim is
22 attached hereto as **Exhibit B**.

23 I declare under penalty of perjury under the laws of the State of California that the forgoing
24 is true and correct and executed this 31st day of August 2020.

25
26 /s/ Brendan M. Kunkle
27 BRENDAN M. KUNKLE
28

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

Part 1: Identify the Claim

1. Who is the current creditor?	SONOMA LAND TRUST Name of the current creditor (the person or entity to be paid for this claim)	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Are you filing this claim on behalf of your family? A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If you checked "Yes", please provide the full name of each family member that you are filing on behalf of: _____ _____ _____ _____	
4. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Name <u>SONOMA LAND TRUST</u> Attorney Name (if applicable) <u>Kunkle, Brendan</u> Attorney Bar Number (if applicable) <u>173292</u> Street Address <u>100 Stony Point Road, Suite 200</u> City <u>Santa Rosa</u> State <u>California</u> Zip Code <u>95401</u> Phone Number <u>7075425050</u> Email Address <u>BKunkle@abbeylaw.com</u>	Where should payments to the creditor be sent? (if different) Name _____ Attorney Name (if applicable) _____ Attorney Bar Number (if applicable) _____ Street Address _____ City _____ State _____ Zip Code _____ Phone Number _____ Email Address _____
5. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
6. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date this Claim Form is Filed

7. What fire is the basis of your claim? Check all that apply.	<input type="checkbox"/> Camp Fire (2018) <input checked="" type="checkbox"/> North Bay Fires (2017) <input type="checkbox"/> Ghost Ship Fire (2016) <input type="checkbox"/> Butte Fire (2015) <input type="checkbox"/> Other (please provide date and brief description of fire: _____)
8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different.)	Location(s): 3865 Cavedale Road, Glen Ellen, CA 95442 13375 Sonoma Hwy, Glen Ellen CA 95442 13165 Sonoma Hwy, Glen Ellen CA 95442 13255 Sonoma Hwy, Glen Ellen CA 95442 13300 Sonoma Hwy, Glen Ellen CA 95442 18775 Foss Hill Road, Calistoga, CA 94515
9. How were you and/or your family harmed? Check all that apply	<input checked="" type="checkbox"/> Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage) <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Renter <input type="checkbox"/> Occupant <input type="checkbox"/> Other (Please specify): _____ <input type="checkbox"/> Personal Injury <input type="checkbox"/> Wrongful Death (if checked, please provide the name of the deceased) _____ <input type="checkbox"/> Business Loss/Interruption <input type="checkbox"/> Lost wages and earning capacity <input checked="" type="checkbox"/> Loss of community and essential services <input type="checkbox"/> Agricultural loss <input type="checkbox"/> Other (Please specify): _____
10. What damages are you and/or your family claiming/seeking? Check all that apply	<input checked="" type="checkbox"/> Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage) <input checked="" type="checkbox"/> Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage) <input checked="" type="checkbox"/> Punitive, exemplary, and statutory damages <input checked="" type="checkbox"/> Attorney's fees and litigation costs <input checked="" type="checkbox"/> Interest <input checked="" type="checkbox"/> Any and all other damages recoverable under California law <input type="checkbox"/> Other (Please specify): _____
11. How much is the claim?	<input type="checkbox"/> \$ _____ (optional) <input checked="" type="checkbox"/> Unknown / To be determined at a later date

Part 3: Sign Below

The person completing this proof of claim must sign and date it, FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☐ I am the creditor.
☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: Brendan M. Kunkle
-Brendan M. Kunkle (Jan 7, 2020)

Email: BKunkle@abbeylaw.com

Signature

Print the name of the person who is completing and signing this claim:

Name	Brendan	M	Kunkle
	First name	Middle name	Last name
Title	Partner		
Company	Abbey, Weitzenberg, Warren & Emery PC		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	100 Stony Point Road, Suite 200		
	Number	Street	
	Santa Rosa	CA	95401
	City	State	ZIP Code
Contact phone	7075425050	Email	BKunkle@abbeylaw.com

Attach Supporting Documentation (limited to a single PDF attachment that is less than 5 megabytes in size and under 100 pages):

☐ I have supporting documentation.
(attach below)

☒ I do not have supporting documentation.

PLEASE REVIEW YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTS AND REDACT ACCORDINGLY PRIOR TO UPLOADING THEM. PROOFS OF CLAIM AND ATTACHMENTS ARE PUBLIC DOCUMENTS THAT WILL BE AVAILABLE FOR ANYONE TO VIEW ONLINE.

IMPORTANT NOTE REGARDING REDACTING YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTATION When you submit a proof of claim and any supporting documentation you must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. The responsibility for redacting personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) rests solely with the party submitting the documentation and their counsel. Prime Clerk and the Clerk of the Court will not review any document for redaction or compliance with this Rule and you hereby release and agree to hold harmless Prime Clerk and the Clerk of the Court from the disclosure of any personal data identifiers included in your submission. In the event Prime Clerk or the Clerk of the Court discover that personal identifier data or information concerning a minor individual has been included in a pleading, Prime Clerk and the Clerk of the Court are authorized, in their sole discretion, to redact all such information from the text of the filing and make an entry indicating the correction.

EXHIBIT B

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
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Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

Part 1: Identify the Claim

1. Who is the current creditor?	SONOMA LAND TRUST Name of the current creditor (the person or entity to be paid for this claim)	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Are you filing this claim on behalf of your family? A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If you checked "Yes", please provide the full name of each family member that you are filing on behalf of: _____ _____ _____ _____	
4. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Name <u>SONOMA LAND TRUST</u> Attorney Name (if applicable) <u>Kunkle, Brendan</u> Attorney Bar Number (if applicable) <u>173292</u> Street Address <u>100 Stony Point Road, Suite 200</u> City <u>Santa Rosa</u> State <u>California</u> Zip Code <u>95401</u> Phone Number <u>7075425050</u> Email Address <u>BKunkle@abbeylaw.com</u>	Where should payments to the creditor be sent? (if different) Name _____ Attorney Name (if applicable) _____ Attorney Bar Number (if applicable) _____ Street Address _____ City _____ State _____ Zip Code _____ Phone Number _____ Email Address _____
5. Does this claim amend one already filed?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on <u>01/07/2020</u> MM / DD / YYYY	
6. Do you know if anyone else has filed a proof of claim for this claim?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Who made the earlier filing? <u>Brendan M. Kunkle, Esq.</u>	

Part 2:**Give Information About the Claim as of the Date this Claim Form is Filed**

7. What fire is the basis of your claim? Check all that apply.	<input type="checkbox"/> Camp Fire (2018) <input checked="" type="checkbox"/> North Bay Fires (2017) <input type="checkbox"/> Ghost Ship Fire (2016) <input type="checkbox"/> Butte Fire (2015) <input type="checkbox"/> Other (please provide date and brief description of fire: _____)
8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different.)	Location(s): 3865 Cavedale Road, Glen Ellen, CA 95442 13375 Sonoma Hwy, Glen Ellen CA 95442 13165 Sonoma Hwy, Glen Ellen CA 95442 13255 Sonoma Hwy, Glen Ellen CA 95442 13300 Sonoma Hwy, Glen Ellen CA 95442 18775 Foss Hill Road, Calistoga, CA 94515
9. How were you and/or your family harmed? Check all that apply	<input checked="" type="checkbox"/> Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage) <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Renter <input type="checkbox"/> Occupant <input type="checkbox"/> Other (Please specify): _____ <input type="checkbox"/> Personal Injury <input type="checkbox"/> Wrongful Death (if checked, please provide the name of the deceased) _____ <input checked="" type="checkbox"/> Business Loss/Interruption <input type="checkbox"/> Lost wages and earning capacity <input checked="" type="checkbox"/> Loss of community and essential services <input type="checkbox"/> Agricultural loss <input type="checkbox"/> Other (Please specify): _____
10. What damages are you and/or your family claiming/seeking? Check all that apply	<input checked="" type="checkbox"/> Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage) <input checked="" type="checkbox"/> Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage) <input checked="" type="checkbox"/> Punitive, exemplary, and statutory damages <input checked="" type="checkbox"/> Attorney's fees and litigation costs <input checked="" type="checkbox"/> Interest <input checked="" type="checkbox"/> Any and all other damages recoverable under California law <input type="checkbox"/> Other (Please specify): _____
11. How much is the claim?	<input type="checkbox"/> \$ _____ (optional) <input checked="" type="checkbox"/> Unknown / To be determined at a later date

Part 3: Sign Below

The person completing this proof of claim must sign and date it, FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☐ I am the creditor.
☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: Brendan M. Kunkle
-Brendan M. Kunkle (Jan 7, 2020)

Email: aproulx@abbeylaw.com

Signature

Print the name of the person who is completing and signing this claim:

Name	Brendan	M	Kunkle
	First name	Middle name	Last name
Title	Partner		
Company	Abbey, Weitzenberg, Warren & Emery PC		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	100 Stony Point Road, Suite 200		
	Number	Street	
	Santa Rosa	CA	95401
	City	State	ZIP Code
Contact phone	7075425050	Email	BKunkle@abbeylaw.com

Attach Supporting Documentation (limited to a single PDF attachment that is less than 5 megabytes in size and under 100 pages):

☐ I have supporting documentation.
(attach below)

☒ I do not have supporting documentation.

PLEASE REVIEW YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTS AND REDACT ACCORDINGLY PRIOR TO UPLOADING THEM. PROOFS OF CLAIM AND ATTACHMENTS ARE PUBLIC DOCUMENTS THAT WILL BE AVAILABLE FOR ANYONE TO VIEW ONLINE.

IMPORTANT NOTE REGARDING REDACTING YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTATION When you submit a proof of claim and any supporting documentation you must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. The responsibility for redacting personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) rests solely with the party submitting the documentation and their counsel. Prime Clerk and the Clerk of the Court will not review any document for redaction or compliance with this Rule and you hereby release and agree to hold harmless Prime Clerk and the Clerk of the Court from the disclosure of any personal data identifiers included in your submission. In the event Prime Clerk or the Clerk of the Court discover that personal identifier data or information concerning a minor individual has been included in a pleading, Prime Clerk and the Clerk of the Court are authorized, in their sole discretion, to redact all such information from the text of the filing and make an entry indicating the correction.

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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2020, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

/s/ Brendan M. Kunkle
Brendan M. Kunkle